



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In RE:

Serial no.: 10/761,446
Filing date: 01/20/2004
Confirmation no.: 3051
Title: Coreopsis Plant Named 'Heaven's Gate'
Inventor: Marc R. Laviana
Group Art Unit: 1661
Examiner: Kent L. Bell

TO: Commissioner of Patents, Alexandria, VA. 20231-1450

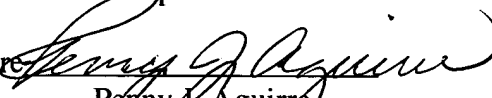
RESPONSE

Dear Kent Bell:

I am responding to an office communication dated 11/17/2004. Please accept the enclosed re-submission of the Response to the First Office Action and office communication dated 08/10/2004. The response submitted on 11/05/2004 was non-compliant because the signature was omitted on page 8 of the response.

Date: __11/23/2004__

Signature


Penny J. Aguirre
Reg. No. 52,546

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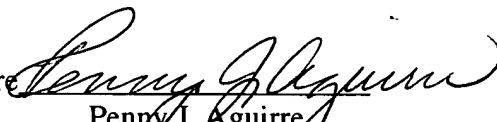
TRANSMITTAL LETTER

The Following documents related to this application are enclosed:

1. Reply to Office communication dated 11/17/2004 including this page (2 pages).
2. Corrected Response to Office Communication 08/10/2004 including Transmittal Letter dated 11/05/2003 (8 Pages).
3. Postcard

Date: 11/23/2004

Signature


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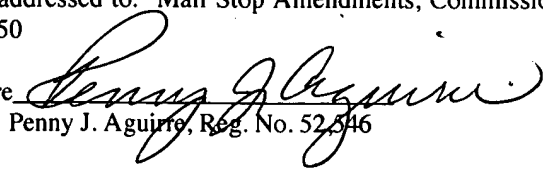
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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents. PO Box 1450, Alexandria, VA 20231-1450

On 11/23/2004
Date

Signature


Penny J. Aguirre, Reg. No. 52,546



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AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

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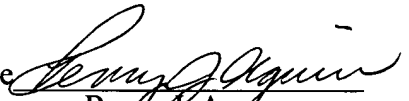
TRANSMITTAL LETTER

The Following documents related to this application are enclosed:

1. Response to Office Communication 08/10/2004 (8 Pages)
including this page.
2. Substitute Specification and Claim (7 Pages)
3. Marked up copy of Original Specification (8 Pages)
4. Postcard

Date: 11/05/2004

Signature


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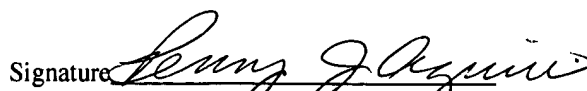
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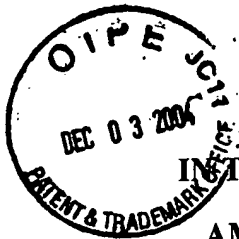
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RESPONSE

INTRODUCTORY COMMENTS

Dear Kent Bell:

This is the Applicant's response to the Office communication dated 08/10/2004. The applicant requests that the previous reply and the original specification and claim be cancelled and replaced with the substitute specification and claim included with this response. All of the examiner's objections have been addressed either by amendment or by comment in the REMARKS section. No additional fees are believed to be necessary. It is requested that the following amendments be made.